WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

HOUSE BILL No. 196

(By Mr. Moore)

PASSED March 6, 1941

In Effect from Passage
ENROLLED

House Bill No. 196
(By Mr. Moore)

[Passed March 8, 1941; in effect from passage.]

AN ACT authorizing the state compensation commissioner to reopen the claim of F. M. Mason of Moundsville, Marshall county, West Virginia.

WHEREAS, On June 24, 1931, F. M. Mason, while employed at the plant of the United Zinc Smelting Corporation at Moundsville, West Virginia, received an injury to his spine along with other injuries; and

WHEREAS, The employer of the said F. M. Mason was, at the time of the aforesaid injury, a subscriber to the workmen’s compensation fund; and

WHEREAS, The said F. M. Mason has been paid for permanent partial disability until on or about December 9, 1937, at which time said compensation expired; and

WHEREAS, The said F. M. Mason as a result of the injury received on June 24th, 1931, had become permanently and
totally disabled on the 9th day of December, 1937, the date of the last payment of the last award made to him, and in the opinion of competent physicians, will hereafter remain so; and

Whereas, The said F. M. Mason in the early part of 1938, filed his petition for a reopening of his claim which was denied by the compensation commissioner on the ground that the period of time in which to apply for an additional award and the reopening of his said case had expired, and that the commissioner was without jurisdiction to further consider his said claim for additional compensation upon the grounds assigned of progression and aggravation of his physical condition resulting in permanent total disability since the date of the last award made to said claimant; therefore

Be it enacted by the Legislature of West Virginia:

Section 1. Compensation Commissioner Authorized to Reopen Case of F. M. Mason.—The state compensation commissioner is hereby authorized to reopen the claim of F. M. Mason, notwithstanding the fact that more than one year had elapsed since the date of the last payment to him, before the application for reopening and hearing
was filed, and to make such disposition of the case as
would have been proper had said application been filed
within the period required by law, and to allow such
compensation to the said F. M. Mason as the facts and
conditions pertaining to the case may warrant.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

C. H. McCorn
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

A. Hale Watters
Clerk of the Senate

Clerk of the House of Delegates

Bryon H. Ponder
President of the Senate

Malcolm G. Arnold
Speaker House of Delegates

The within approved this the 14th day of March, 1941.

Matthew Neely
Governor

Filed in the office of the Secretary of State of West Virginia, MAR 17, 1941.

Wm. S. O'Brien,
Secretary of State